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Attorneys for Defendant Tenza Trading Ltd.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

CALISTA ENTERPRISES LTD, a
Republic of Seychelles Company,

Plaintiff,

vs.

TENZA TRADING LTD., a Cyprus
Company,

Defendant.

No. 3:13-cv-01045-SI

DEFENDANT TENZA TRADING LTD.'S
MOTION FOR PROTECTIVE ORDER
REGARDING CALISTA'S NOTICE OF FRCP
30(B)(6) AND 45 DEPOSITION OF TENZA

**EXPEDITED ORAL ARGUMENT
REQUESTED**

Pursuant to Federal Rule of Civil Procedure 26(c), Defendant Tenza Trading Ltd.

Page 1 - **TENZA MOTION FOR PROTECTIVE ORDER
REGARDING CALISTA'S NOTICE OF FRCP 30(B)(6)
AND 45 DEPOSITION OF TENZA**

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(“Tenza”), moves the Court for a protective order limiting the scope of discovery sought by Calista as reflected in Calista’s Notice of Video Deposition of Tenza Trading Ltd. Pursuant to Fed. R. Civ. P. 30(b)(6) and 45.

LR 7-1(a) CERTIFICATION REQUIREMENT

Tenza made a good faith effort through an extensive meet and confer conference with Calista’s counsel on January 27, 2014, to resolve the disputes at issue in this motion but was unable to do so. The Court’s assistance is respectfully requested.

MOTION FOR PROTECTIVE ORDER

Calista, an adjudicated infringer, wants to use the lawsuit it filed both to continue its valuable income stream and as a vehicle to discover Tenza’s inner workings and trade secrets, including the identities of its affiliates; the information Tenza knows about consumers of its services; and just how much income it might make if permitted to continue to infringe on Tenza’s mark. Despite that the issues in this case are quite focused, Calista seeks overbroad discovery demands, including by way of deposition of Tenza’s corporate representatives, that are not, even remotely, supported by law or relevant to the issues in this case. Tenza is entitled to a protective order precluding Calista from taking the broad swath of discovery it seeks and protecting Tenza from undue harassment pursuant to Fed. R. Civ. P. 26.

Tenza had prepared this memorandum in contemplation of its Motion for a Protective Order with respect to the scope of discovery permitted at the upcoming 30(b)(6) deposition of its designees. However, the issues raised herein are identical to, and completely overlap, the discovery issues raised by Calista for resolution by informal conference scheduled at 3:35 p.m. on January 31, 2014. Accordingly, Tenza requests that the arguments proffered herein be considered in both contexts.

In support of this motion, Tenza relies upon the contemporaneously filed Memorandum, and the Declaration of Devon Zastrow Newman and exhibits thereto.

Dated this 30th day of January, 2014.

Respectfully submitted,

/s/Paul N. Tauger

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